

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:16-cr-00180-BO

UNITED STATES OF AMERICA :
 :
 v. :
 :
 JOSE VASQUEZ-HERNANDEZ :
 NAOMI MONDRAGON :

FILED IN OPEN COURT
ON 5/11/2017
Peter A. Moore, Jr., Clerk
US District Court
Eastern District of NC

ORDER AND JUDGMENT OF FORFEITURE

In the Criminal Indictment in the above action, the United States sought forfeiture of property of the defendants, pursuant to 21 U.S.C. § 853, as proceeds of or property used to facilitate the unlawful activity of the defendant as charged in the Criminal Indictment.

The defendants pled guilty to Count One of the Criminal Indictment and agreed to forfeit the property listed in the Criminal Indictment, that is, \$7,000.00, which represents proceeds the defendants obtained directly or indirectly as a result of the said conspiracy offense, and defendant Vasquez-Hernandez also agreed to forfeit (a) a .380 Diamond Back handgun, SN: ZD6923, (b) a 9mm PW Arms handgun, SN: ZU06690, (c) a 9mm Smith & Wesson handgun, SN: HEW9508, (d) an AK-47 Arsenal Rifle, SN: KO550720; and (e) any and all accompanying magazines and ammunition for the firearms listed above.

By virtue of the defendants' guilty pleas and agreement, the United States is now entitled to the defendants' interest in \$7,000.00 currency and to possession of the firearms, pursuant to 21 U.S.C. § 853 and Fed. R. Crim. P. 32.2(b)(3);

Accordingly, it is hereby **ORDERED, ADJUDGED AND DECREED** that:

1. That based upon the Memorandums of Plea Agreement as to the defendants JOSE VASQUEZ-HERNANDEZ and Naomi Mondragon, the United States is hereby authorized to seize the above-stated personal property, that is, (a) a .380 Diamond Back handgun, SN: ZD6923, (b) a 9mm PW Arms handgun, SN: ZU06690, (c) a 9mm Smith & Wesson handgun, SN: HEW9508, (d) an AK-47 Arsenal Rifle, SN: KO550720; and (e) any and all accompanying magazines and ammunition for the firearms listed above, and they are hereby forfeited to the United States for disposition in accordance with the law, including destruction, as allowed by Fed. R. Crim. P. 32.2(b)(3);

2. Based upon the defendants' guilty pleas and agreement, the above-listed \$7,000.00 currency is forfeited to the United States for disposition in accordance with the law; and


3. Any and all forfeited funds shall be deposited by the U.S. Department of Justice or the U. S. Department of the Treasury, as soon as located or recovered, into the U. S. Department of Justice's Assets Forfeiture Fund or the U. S. Department of the

Treasury's Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

In respect to the dollar amount forfeited by the defendant but not in the possession of or its whereabouts known to the Government, JUDGMENT is hereby entered against the defendants for the amount forfeitable, specifically, \$7,000.00, an amount for which they shall be jointly and severally liable as co-conspirators.

In addition, upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Order and Judgment of Forfeiture in the applicable section of the Judgments, as required by Fed. R. Crim. P. 32.2(b)(3). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order shall be final as to the defendants at sentencing.

SO ORDERED. This 11 day of ~~March~~ ^{May}, 2017.


TERRENCE W. BOYLE
United States District Judge